

BRANCART & BRANCART  
Christopher Brancart (SBN 128475)  
Elizabeth Brancart (SBN 122092)  
Post Office Box 686  
Pescadero, CA 94060  
Tel: (650) 879-0141  
Fax: (650) 879-1103  
[cbrancart@brancart.com](mailto:cbrancart@brancart.com)  
[ebrancart@brancart.com](mailto:ebrancart@brancart.com)

**FILED**

FEB - 8 2008

RICHARD W. WIERING  
CLERK, U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

Attorneys for Plaintiffs-Appellants

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA**

EDITH MACIAS, individually and on  
behalf of similarly situated  
individuals; HOTON DURAN;  
TIFFANY HUYNH; AURA MENDIETA;  
WILLIAM LABOY; MIGUEL ACOSTA;  
CRUZ ACOSTA; CUAUHTEMOC  
TORAL; TERESA VILLEGAS,  
KAPIKA SALAMBUE; and MARINA  
DURAN,

**Plaintiffs-Appellants,**

**vs.**

THOMAS J. TOMANEK; and  
MARK GARIBALDI, individually  
and doing business as THE  
GARIBALDI COMPANY,

**Defendants- Appellees.**

**Case No. C07-3437 JSW**

**9th Cir. Case No. \_\_\_\_\_**  
[Notice of Appeal filed 2/1/08]

**AMENDED REPRESENTATION  
STATEMENT**

Pursuant to Rule 12(b) and the Federal Rules of Appellate Procedure and Ninth Circuit Rule 3-2(b), appellants submit this amended representation statement adding additional counsel for defendant-appellee Mark Garibaldi:

I. Plaintiffs-Appellants Edith Macias, on behalf of herself and a class of similarly situated persons, and Hoton Duran, Tiffany Huynh, Aura Mendieta, William Laboy, Miguel Acosta, Cruz Acosta, Cuauhtemoc Toral, Teresa Villegas, Kapika Salambue, and Marina Duran are represented by:

1 BRANCART & BRANCART  
2 Christopher Brancart (SBN 128475)  
3 Elizabeth Brancart (SBN 122092)  
4 Post Office Box 686  
5 Pescadero, CA 94060  
6 Tel: (650) 879-0141  
7 Fax: (650) 879-1103

8 II. Defendant-Appellee Thomas J. Tomanek is represented by:

9 ALLMAN & NIELSEN  
10 Sara B. Allman (SBN 107932)  
11 100 Larkspur Landing Circle, Suite 212  
12 Larkspur, CA 94939  
13 Tel: (415) 461-2700  
14 Fax: (415) 461-2726

15 III. Defendant-Appellee Mark Garibaldi, individually and dba The Garibaldi Company, is  
16 represented by:

17 FARBSTEIN & BLACKMAN  
18 John S. Blackman (SBN 114654)  
19 411 Borel Avenue, Suite 425  
20 San Mateo, CA 94402  
21 Tel: (650) 554-6200  
22 Fax: (650) 554-6240

23 WENDEL ROSEN BLACK & DEAN, LLP  
24 Carl D. Ciochon, Esq. (SBN 165963)  
25 P. O. Box 2047  
26 Oakland, CA 94604-2047  
27 Tel: (510) 834-6600  
28 Fax: (510) 834-1928

Dated: February 6, 2008.

Respectfully submitted,

BRANCART & BRANCART

23   
24 /s/ Elizabeth Brancart  
25 Attorneys for Plaintiffs

**PROOF OF SERVICE**

I am over the age of 18 and am not a party to the within action. My business address is 8205 Pescadero Road, Loma Mar, California 94021.

On February 6, 2008, I served a true and correct copy of the following document(s):

**AMENDED REPRESENTATION STATEMENT**

upon the following person(s):

Ms. Sara Allman, Allman & Nielsen, 100 Larkspur Landing Circle, Suite 212  
Larkspur, CA 94939;

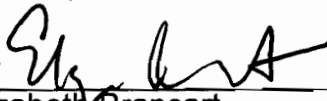
Mr. John S. Blackman, Farbstein & Blackman, 411 Borel Ave., Suite 425, San  
Mateo, CA 94402; and

Mr. Carl D. Ciochon, Wendel Rosen Black & Dean, LLP, P. O. Box 2047  
Oakland, CA 94604-2047

	<b>BY HAND DELIVERY:</b> By causing such document(s) to be delivered by hand to the above person(s) at the address(es) set forth above.
XX	<b>BY MAIL:</b> By placing a copy thereof enclosed in a sealed envelope, with postage thereon fully prepaid, in the United States mail at Loma Mar, California, addressed as set forth above.
	<b>BY THIRD-PARTY COMMERCIAL CARRIER (OVERNIGHT DELIVERY):</b> By delivering a copy thereof to a third-party commercial carrier, addressed as set forth above, for delivery on the next business day.
	<b>BY FACSIMILE:</b> By transmitting the above document(s) to the facsimile number(s) of the addressee(s) designated above.
	<b>BY ELECTRONIC TRANSMISSION OF THE "NOTICE OF ELECTRONIC FILING:"</b> By electronically filing the document(s) (All counsel are "Filing Users")

I certify that I am employed in the office of a member of the bar of this court at whose direction the service was made.

Executed on February 6, 2008, at Loma Mar, California.

/s/   
Elizabeth Brancart